

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

36th Legislative Day

April 18, 1991

Speaker McPike: "The House will come to order. The House will come to order. The Chaplain for today is Dr. Tom Meachum, Independent, from the Bible Believer's Church in Greenup, Illinois. Dr. Meachum is the guest of Representative Noland. Guests in the balcony may wish to rise and join us for the invocation.

Dr. Meachum: "Let us pray. Heavenly Father, we thank You for Your goodness to us today. We pray that as we pause at this moment we may be reminded of Your command in scripture that we pray for those that are in authority over us, and we do thank You for this opportunity this afternoon to pray in the hearing of these, our State Legislators. We ask Your blessing upon them. We pray that You might remind us all of several things regarding law here upon the Earth. First of all, that there is no power except of Thee. That all authority is ordained of Thee and certainly that means that we have a responsibility unto Thee. We realize that Government exists at Your pleasure, that You can put down and You can raise up and also for Your purpose that we might live a quiet and peaceable life. And, Lord, we pray that as these lawmakers meet, that they would realize the awesome responsibility that is theirs. That in making law doesn't necessarily make it right. Law is only right as it agrees with Your Word, with Your Divine Law. We pray that You also might remind us that as lawmakers we will someday give an account to the Great Law Giver, that we have a Master in Heaven as well, and to Whom we must someday give an account. So, we pray You might give wisdom, but Lord, more than that, we pray that You might give a heart to seek after Thee and follow Your Will. And, Lord, we pray that even in the process of making law, it might be a reminder of the purpose or the reason for laws. As Your Word

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teaches us that laws are given because men are lawless, not because they are righteous. And, even the reason or the necessity of law would remind us that man is a lawbreaker having violated Your Law and that You have sent Your Son, that He might live among us, and He did, perfectly obeying Your Law and then paying the penalty for that law, that we might have life. And, so, it is in His Name, the One who perfectly fulfilled all law, that we offer this prayer in Jesus' name. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Balanoff."

Balanoff - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker McPike: "Roll Call for Attendance. Excused absences. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker. Monroe Flinn on this side of the aisle is excused."

Speaker McPike: "Thank you. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Representatives Barnes and McAuliffe, both excused absences. Thank you."

Speaker McPike: "Thank you. Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I'd like to announce that Tommy, the guy who shines shoes here in the House, is back in business and he will be working in the telephone area, from now until the end of Session. Tommy's back."

Speaker McPike: "Take the Roll, Mr. Clerk. Eighty-seven answered Roll Call. A quorum is present. Representative Wolf."

Wolf: "Thank you, Mr. Speaker. As the principal Sponsor, I'm requesting leave of the House to table House Bill 1187."

Speaker McPike: "Representative Wolf, will you say that again?"

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I'm sorry."

Wolf: "I said, as the principal Sponsor, I would request leave of the House to table House Bill 1187."

Speaker McPike: "I believe we have forms up here to simply fill out."

Wolf: "Oh, okay."

Speaker McPike: "Oh, not to table. Alright. The Gentleman who is the principal Sponsor of House Bill 1187 moves to table the Bill. Are there any objections? Hearing none. Attendance Roll Call is used. The Bill is tabled. Representative Jesse White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like to have leave to have two Bills: House Bill 1268 and House Bill 1270 assigned to the Human Services Committee and posted for next week."

Speaker McPike: "Where are they assigned now?"

White: "Regs. Regulations."

Speaker McPike: "You have to have the Bills reassigned."

White: "Well, we're working on that process right now. I think it has been completed."

Speaker McPike: "Why don't you...alright, the Bills have been reassigned and the Motion is to waive the posting requirements?"

White: "Yes."

Speaker McPike: "Would you repeat those two Bills?"

White: "House Bills 1268 and House Bill 1270."

Speaker McPike: "House Bill 1268 and House Bill 1270 to be heard in the Human Services Committee. The Gentleman asks leave to waive the posting requirements. Do I hear any objections? Hearing none. Leave is granted. The Gentleman's Motion carries. Representative White, I don't believe you were punched in on the Roll Call. If you'll sign a slip, you'll be placed on the Roll Call."

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Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I'd like leave of the House, a, inadvertently, we missed four Bills and I'd like leave of the House to waive the posting rules so that the following Bills could be heard in the full committee next week in the Energy and Environment Committee. They're House Bills 1199, 1588, 2019 and 2020"

Speaker McPike: "You heard the Gentleman's Motion to waive the posting requirements on these four Bills. Are there any objections, for Energy and Environment posting next week? Representative Wennlund, do you rise in opposition?"

Wennlund: "Mr. Speaker. I assume that Representative Peterson is in agreement?"

Kulas: "Representative Peterson has sponsored two of the Bills."

Wennlund: "Thank you."

Speaker McPike: "There are no objections. The Attendance Roll Call will be used on the Motion. The Motion carries. Representative Kulas, would you bring the list of those Bills to the Clerk, please? Representative Steczo."

Steczko: "Thank you, Mr. Speaker. As principal Sponsor, I ask leave of the House to table House Bill 1194...1194."

Speaker McPike: "The Gentleman is the chief Sponsor of the Bill and the Motion is to table the Bill on House Bill 1194. Being no objections, Attendance Roll Call is used. The Motion carries, the Bill is tabled. Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I move to suspend the posting rules for the School Subcommittee on Funding for Schools to be held on Monday at 3:00 o'clock p.m. in Room 118. The House Bills that we're suspending are the rules...are the posting requirements on our House Bills 809, 935, 2356, 2357, 2360, HJRCA 5, as well as 19, 320, 827 and 2042. I'll provide a list to the Chair. I have approval with my

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spokesperson, Mike Weaver."

Speaker McPike: "Representative Weaver has approved these. There being no objections, the Attendance Roll Call will be used. The Motion carries. The posting requirements are waived and if you'll bring that list to the Clerk, Representative McNamara. Thank you. Any other announcements? The Chair's prepared to adjourn. Mr. Clerk, I think we took the Attendance Roll Call, I think you can clear the board. Representative Sieben. Mr. Sieben...the House would like the...the Chair would like to call the attention to the Members of the House that the Speaker has sent out to all House Members the revised Committee Schedule for next week, and the reason for some of these Motions is to accommodate this new schedule, so this schedule is in your office. The Adjournment Resolution. Read the Resolution, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 38. Resolved by the Senate, of the 87th General Assembly, of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Thursday, April 18, 1991, the Senate stands adjourned until Tuesday, April 23, 1991, at 12:00 o'clock noon, and the House of Representatives stands adjourned until Tuesday, April 23, 1991, at 1:00 o'clock p.m."

Speaker McPike: "Representative Matijevec moves that House Bills 49, 51, 64, 236, 246, 253, 332, 472, 476, 496, 508, 509, 528, 531, 532, 579, 666, 705, 708, 767, 794, 795, 796, 797, and 823, that the posting requirements be waived so these Bills can be heard next Tuesday in the Committee on the Municipal of Conservation Law. The Republicans have no objection to this motion. The Attendance Roll Call will be used and the Motion carries. Mr. Clerk, you have a copy of that list. Representative Matijevec now moves for the adoption of the Adjournment Resolutions. All in favor say

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'aye, opposed 'no', the 'ayes' have it. The Adjournment Resolution is Adopted. Further Announcements. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 30, offered by Representative Noland; House Joint Resolution 32, offered by Representative Mautino. House Resolution 346, J. Hoffman; 347, Burzynski; 348, Burzynski; 349, Obrzut; 350, Harris; 351, Satterthwaite' 352, DeJaegher and 353, Cowlshaw."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, these are all congratulatory. I move to adopt the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no', the 'ayes' have it. Agreed Resolutions are Adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 354, offered by Representative Cowlshaw, with respect to the memory of Paul W. Boyer. House Resolution 355, offered by Representative Johnson, with respect to the memory of Mr. Eric John Shuster."

Speaker McPike: "Representative Matijevich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Death Resolutions are Adopted. Representative Matijevich now moves that the House stand adjourned until Tuesday at the hour of 1:00 p.m. allowing the Clerk Perfunctory Time for Committee Reports and Messages from the Senate. All in favor of the Gentleman's Motion say 'aye', opposed 'no', the 'ayes' have it and the House Stands Adjourned. Representative Matijevich."

Matijevich: "Mr. Speaker, an announcement, the Rules Committee will meet at noon on Tuesday. We will meet to discuss the guidelines and procedures for the reapportionment, so I

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would urge all of the Members of the Rules Committee to be there in Room 114 at noon Tuesday."

Speaker McPike: "First Special Session of the General Assembly will come to order. Attendance Roll Call for the Regular Session will be used as the Attendance Roll Call for the First Special Session. Adjournment Resolutions."

Clerk O'Brien: "Senate Joint Resolution #5. Resolved by the Senate of the 87th General Assembly of the State of Illinois, the First Special Session thereof, the House of Representatives concurring herein, that the two Houses adjourn on Thursday, April 18, 1991, the Senate stands Adjourned until Tuesday, April 23, 1991, at 12:30 o'clock p.m., and the House of Representatives stands Adjourned until Tuesday, April 23, 1991, at 1:05 o'clock p.m."

Speaker McPike: "Representative Matijevich moves that the Adjournment Resolution be adopted. All in favor say 'aye, opposed 'no', the 'ayes' have it, the Adjournment Resolution is Adopted. Representative Matijevich now moves that the First Special Session of the General Assembly stand adjourned until next Tuesday at the hour of 1:05 p.m. All in favor say 'aye', opposed 'no', the 'ayes' have it. The Special Session is Adjourned."

Clerk O'Brien: "A Message from the Senate by Miss Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that Senate has passed Bills of the following titles, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 51, 120, 153, 190 and 221 passed the Senate April 17, 1991.' Linda Hawker, Secretary of the Senate. Senate Bills. First Reading. Senate Bill 190; Richmond. A Bill for an Act concerning the Kaskaskius Commons Amending a Named Act. First Reading of the Bill."

Clerk Leone: "Committee Reports. Representative Flowers,

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Chairman from the Committee on Real Estate Law, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1196 and 1926. 'Do Pass Short Debate Calendar' House Bill 1841. 'Do pass as amended Short Debate Calendar' House Bill 2594. 'Do pass Consent Calendar' House Bill 1365. Representative Martinez, Chairman from the Committee on Veteran Affairs, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bill 816, 'do pass Consent Calendar' House Bill 2085. Representative Turner, Chairman from the Committee on Housing, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass' House Bills 278 and 1981. 'Do pass as amended' House Bill 785. 'Do pass Short Debate Calendar' House Bill 1243. 'Do pass as amended Short Debate Calendar' House Bill 2067. 'Do pass as amended Consent Calendar' House Bill 1322. Interim Study Calendar, 'do adopt Consent Calendar' House Resolution 228. Representative Morrow, Chairman from the Committee on Economic and Urban Development, to which the following Bills and Resolutions were referred, action taken April 18, 1991, reported the same back with the following recommendations: ... Continuing with Committee Reports. Representative Morrow, Chairman from the Committee on Economic and Urban Development, to which the following Bills and Resolutions were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass House Bills 1134 and 1176. 'Do pass Short Debate Calendar' House Bills 1624, 1867, and 2378. 'Do adopt' House Resolution 143. Representative

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Preston, Chairman from the Committee on Children and Family Law, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass' House Bills 678, 677, 1007 and 2489. 'Do pass Short Debate Calendar' House Bills 938, 937, 1285, 1462, 1461, 1545, 2281, 2459, 2468, 3, 137, 726, 751, 786, 874, 936, 743, 734, 724, 725, 727, 2013, 728, 2401, 1629, 1608, 1352, 1146, 1302, 1544. 'Do pass as amended Short Debate Calendar' House Bills 1128, 1463, 1609 and 44. Representative DeJaegher, Chairman from the Committee on Aging, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1881. 'Do pass Short Debate Calendar House Bill 1160. 'Do pass Consent Calendar' House Bill 1713. Representative Stern, Chairman from the Committee on Mental Health, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bill 1940. Representative Homer, Chairman from the Committee on Judiciary II, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bill 1108. 'Do pass Consent Calendar' House Bills 2476, 1225 and 367. Representative Shaw, Chairman from the Committee on Constitutional Officers, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass Short Debate Calendar' House Bill 1397, 933 and 2309. Representative Kulas, Chairman from the Committee on Environment and Energy, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the

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following recommendations: 'do pass' House Bills 1013 and 941. 'Do pass as amended' House Bill 1514. 'Do pass Short Debate Calendar' House Bills 957, 2444, 815, 1475, 1448, 2536, 2462, 2571. 'Do pass Consent Calendar' House Bill 1818, that's, ... correction, 'do pass Consent Calendar' House Bill 818. 'Do pass as amended Consent Calendar House Bill 1058. 'Do not pass' House Bill 729. Representative Saltsman, Chairman from the Committee on Executive, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the following recommendations: 'do pass' House Bills 812 and 928. 'Do pass as amended' House Bill 370. 'Do pass Short Debate Calendar' House Bill 1623, 1661, 2198, 2443, 2440, 2439, 2438, 2437, 2436, 2435, 2434, 2433, 2421, 2420, 2418, 2364, 2361, 700, 1251, 927, 1506, 2051, 2005, 1968, and 1920. 'Do pass as amended Short Debate Calendar' House Bill 2633. Representative Phelps, Chairman from the Committee on Health Care, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1952, 1409 and 916. Representative Wyvetter Younge, Chairman from the Committee on Higher Education, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1049 and 1660. 'Do pass as amended' House Bill 2368. 'Do pass Short Debate Calendar' House Bill 712. Representative DeLeo, Chairman from the Committee on Consumer Protection, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the following recommendations: 'do pass' House Bill 2531. 'Do pass as amended' House Bill 208. 'Do pass as amended 'Short Debate Calendar' House Bills 2026 and 2576. 'Do pass Consent Calendar' House

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Bills 1934 and 2015. Representative Hartke, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken April 17, 1991, reported the same back with the following recommendations: 'do pass' House Bills 762, 763 and 764. 'Do pass as amended' House Bill 408. 'Do pass Short Debate Calendar' House Bills 2337, 1551, 803, 1333, 592, 783, 798, 799, 800 and 801. 'Do pass Consent Calendar' House Bills 2495, 1254 and 299. 'Do pass as amended Consent Calendar' House Bill 407. Representative Steczo, Chairman from the Committee on Registration and Regulation, to which the following Bills were referred, action April 17, 1991, reported the same back with the following recommendations: 'do pass as amended' House Bill 1481. 'Do pass Short Debate Calendar' House Bill 768, 894, 988, 994 and 1483. 'Do pass Consent Calendar' House Bill 1228. 'Do pass as amended Consent Calendar' House Bill 1364. Representative John Dunn, Chairman from the Committee on Judiciary I, reports that House Bill 276 was reported out of Committee on April 17, 1991, as 'do pass' in error. House Bill 276 should have been reported out 'do pass as amended'. Representative DeJaegher, Chairman from the Committee on Aging, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass House Bill 1881. 'Do pass Short Debate Calendar' House Bill 1160. 'Do pass Consent Calendar' House Bill 1713. Representative Preston, Chairman from the Committee on Children and Family Law, to which the following Bills were referred, action taken April 18, 1991, reported the same back with the following recommendations: 'do pass' House Bill 7, correction, that's House Bill 678, 677, 1007 and 2489. 'Do pass Short Debate Calendar' House Bills 938,"

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Clerk O'Brien: "Introduction. First Reading of Constitutional Amendments. House Joint Resolution, Constitutional Amendment 23, offered by Representative Matijevich.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to add Section 9 to Article XIII of the Illinois Constitution to read as follows:

ARTICLE XIII

GENERAL PROVISIONS

SECTION 9. PUBLIC OFFICE COMPENSATION. A person holding elected public office for which he or she receives compensation shall be ineligible to simultaneously hold another elected public office that provides compensation.

SCHEDULE

This Amendment takes effect upon its approval by the electors of this State. First Reading of the Constitutional Amendment.
Clerk O'Brien: "There being no further business, the House now stands Adjourned."

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